

- a. Housing and Community Development Act of 1974, 42 USC §5301, et seq. (subject to the applicable policies and restrictions of the Department of Housing and Development).
 - b. Appalachian Regional Development Act of 1965, 40 USC §214.
3. Equitable Sharing Program, 21 USC §881(e) (current guidelines developed by the DOJ Asset Forfeiture Office apply). Forfeited assets used as match from the Equitable Sharing Program would be adjudicated by a Federal court.
4. Funds contributed from private sources.
5. Program income and the related interest earned on that program income generated from projects may be used as match provided it is identified and approved prior to making an award.
6. Program income funds earned from seized assets and forfeitures (adjudicated by a State court, as State law permits).
7. Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions on Tribal lands may be used as matching funds.
8. Otherwise authorized by law.

Timing of Matching Contributions. Matching contributions need not be applied at the exact time or in proportion to the obligation of the Federal funds. However, the full matching share must be obligated by the end of the period for which the Federal funds have been made available for obligation under an approved program or project. Time-phased matching may be required by the awarding agency on awards to non-governmental recipients.

Records for Match. Recipients and their subrecipients must maintain records which clearly show the source, the amount, and the timing of all matching contributions. In addition, if a program or project has included within its approved budget contributions which exceed the required matching portion, the recipient must maintain records of them in the same manner as it does the awarding agency funds and required matching shares. For all block/formula funds, the State has primary responsibility for subrecipient compliance with the requirements. For all discretionary funds, the recipient and the subrecipient or contractual recipient have shared responsibility for ensuring compliance with the requirements regarding matching shares.

Waiver of Match.

1. 42 USC §3754(a) of the Omnibus Crime Control Act provides that, in the case of funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in 42 USC §3752 of the Crime Control Act, the Federal portion shall be 100 percent of such cost.

2. 42 U.S.C. §5675 (c) (1) of the Juvenile Justice Act provides that, in the case of an award under Title II to an Indian tribe, if the Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP), determines that the tribe does not have sufficient funds available to meet the local share of the cost of any program or project to be funded under the award, the Administrator may increase the Federal share of the cost thereof to the extent the Administrator deems necessary. This provision applies also to cooperative agreements.
3. In accordance with 48 USC §1469a, the awarding agency, in its discretion, may waive any requirement for matching funds under \$200,000 otherwise required by law to be provided by the certain insular areas. This waiver applies to ALL awards made to American Samoa, Guam, Virgin Islands, and Northern Mariana Islands.

Match Limitation. A certification must be provided that Byrne Formula funds required to pay the non-Federal portion of the cost of each program and project for which such grant is made may be in addition to funds that would otherwise be made available for law enforcement programs by the recipients of grant funds. This certification shall be in writing and submitted with the application for funding.